

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

SAFELITE GROUP, INC.	:	
Plaintiff,	:	Case No. C2 04-CV-962
	:	
vs.	:	Judge Sargus
	:	
ZURICH AMERICAN INSURANCE CO.,	:	Magistrate Judge Abel
Defendant.	:	

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff Safelite Group, Inc. ("Safelite") hereby dismisses with prejudice its complaint and the claims asserted therein against Defendant Zurich American Insurance Co. ("Zurich"), and Zurich hereby dismisses with prejudice its counterclaim and the claims asserted therein against Safelite. The parties shall each bear their own costs, expenses, and attorney fees.

**IT IS SO AGREED.**

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Stipulation of Dismissal with Prejudice was electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to Steven G. Janik, Janik & Dorman LLP, 9200 South Hills Blvd, Suite 300, Cleveland, Ohio 44147-3521, via email at Steven.Janik@Janiklaw.com, attorney for Defendant Zurich American Insurance Co., on this 13<sup>th</sup> day of August, 2007.

/s/ Daniel N. Jabe

One of the Attorneys for Safelite Group, Inc.